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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/785,189	02/25/2004	Thanh Vinh Vuong	16813-13US	7413
20988	7590	07/12/2007		
OGILVY RENAULT LLP 1981 MCGILL COLLEGE AVENUE SUITE 1600 MONTREAL, QC H3A2Y3 CANADA			EXAMINER COLUCCI, MICHAEL C	
			ART UNIT 2609	PAPER NUMBER
			MAIL DATE 07/12/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/785,189	VUONG, THANH VINH	
	<b>Examiner</b>	<b>Art Unit</b>	
	Michael C. Colucci	2609	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |  |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                 | 5) <input type="checkbox"/> Notice of Informal Patent Application                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____  |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

2. Claims 1-19 are rejected under 35 U.S.C. 102(a) as being anticipated by Christy et al., US PGPUB 2002/0002452 A1, (herein after Christy).

Re claim 1, “communications device” in a “communications network”, Christy teaches network-based communications, (abstract). “translating a portion of a text-based communication”, Christy teaches the translation of languages and portions of documents within a language, (abstract). “text-based communications”, Christy teaches the transmission of translations such as text, [0069].

“determining a portion of text to be translated”, Christy teaches the translation of languages and portions of documents within a language, (abstract).

“replacement for a portion of text from a translation service”, Christy teaches the replacement of input entries, [0045]. “translating the portion of text from a first language to a second language”, Christy teaches the translation input entries with the entries from the target language, [0045]. Christy teaches a server used to search and send and receive information, [0067].

“replacing the portion with the replacement”, Christy teaches the replacement of input entries, [0045].

Re claim 2, "portion is indicated by at least one trigger symbol adjacent the portion", Christy teaches a tag surrounding the relevant elements at the beginning and end of a string. "monitoring the composing of the text-based communication for the at least one trigger symbol", Christy teaches of consulting of language-specific rules associated with a given sentence structure prior to and following word substitution, [0028].

Re claim 3, "transmitting a query...the query comprising the portion of the text", Christy teaches the transmission of a search query and the conversion of the search query through the language server, (claim 13).

"receiving a response from the translation service, the response comprising the replacement", Christy teaches the conversion of the natural-language and interaction through the computer network with user, (claim 13).

Re claim 4, "transmitting and receiving", Christy teaches transmitting and receiving through a query, (abstract). "wireless communication protocol", Christy teaches a receiving device such as a wireless telephone, [0069].

Re claim 5, "confirming the replacement", Christy teaches checking user input for conformance to the grammar, [0022].

Re claim 6, "confirming the replacement comprising obtaining one alternative replacement" and "replacing using one of the at least one alternative replacement", Christy teaches an analysis module where user is presented with choices that in turn disambiguate the entered text and the users choice replaces the original text, [0059].

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Re claim 7, "store of portions of text and respective replacements", Christy teaches translation by substitution through the use of a database lookup of words and/or terms, [0018].

Re claim 8, "defined by prior translations performed", Christy teaches the use of a cookie to store user information particularly any arbitrary information, [0051]. Since translations are being transmitted and received it is implied that a cookie will store that information. Also, Christy teaches of translation ready text that may be archived on a storage device, [0069].

Claim 9 has been analyzed and rejected with respect to claim 1. Claim 9 teaches the system of the method of claim 1.

Claim 10 has been analyzed and rejected with respect to claim 4. Claim 10 teaches the system of the method of claim 4.

Claim 11 has been analyzed and rejected with respect to claim 2. Claim 11 teaches the system of the method of claim 2.

Claim 12 has been analyzed and rejected with respect to claim 1. Claim 12 teaches the apparatus of the method of claim 1.

Claim 13 has been analyzed and rejected with respect to claim 2. Claim 13 teaches the apparatus of the method of claim 2.

Claim 14 has been analyzed and rejected with respect to claim 2. Claim 14 teaches the apparatus of the method of claim 2.

Re claim 15, "a user interface to confirm the replacement", Christy teaches the user interacting with a familiar interface where the server poses questions to the user to disambiguate the text, [0068].

Claim 16 has been analyzed and rejected with respect to claim 6. Claim 16 teaches the apparatus of the method of claim 6. "said user interface is adapted to confirm a one of the at least one alternative replacement", Christy teaches the user interacting with a familiar interface where the server poses questions to the user to disambiguate the text, [0068].

Claim 17 has been analyzed and rejected with respect to claim 1. Claim 17 teaches the apparatus of the method of claim 1.

Re claim 18, "memory module for storing the response", Christy teaches of translation ready text that may be archived on a storage device, [0069].

Claim 19 has been analyzed and rejected with respect to claim 6. Claim 19 teaches the apparatus of the method of claim 6. "transmitting and receiving", Christy teaches transmitting and receiving through a query, (abstract).

#### ***Examiner's Note***

The referenced citations made in the rejection(s) above are intended to exemplify areas in the prior art document(s) in which the examiner believed are the most relevant to the claimed subject matter. However, it is incumbent upon the applicant to analyze the prior art document(s) in its/their entirety since other areas of the document(s) may be relied upon at a later time to substantiate examiner's rationale of record. A prior art

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reference must be considered in its entirety, i.e., as a whole, including portions that would lead away from the claimed invention. W.L. Gore & associates, Inc. v. Garlock, Inc., 721 F.2d 1540, 220 USPQ 303 (Fed. Cir. 1983), cert. denied, 469 U.S. 851 (1984). However, "the prior art's mere disclosure of more than one alternative does not constitute a teaching away from any of these alternatives because such disclosure does not criticize, discredit, or otherwise discourage the solution claimed...." In re Fulton, 391 F.3d 1195, 1201, 73 USPQ2d 1141, 1146 (Fed. Cir. 2004).

### ***Contact***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael C. Colucci whose telephone number is (571)272-1847. The examiner can normally be reached on 7:30 am - 5:00 pm , alt. Fridays. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vu Le can be reached on (571)-272-7332. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

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USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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